



Date of Deposit:	05/22/06	Name of Person Making the Deposit:	Anthony Chou	Signature of the Person Making the Deposit:	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Rozas, et al.	Confirmation No.:	8499
Serial No.:	10/646,461	Art Unit:	2188
Filed:	08/21/03	Examiner:	Ellis, Kevin L.
For:	METHOD AND SYSTEM FOR CONSERVATIVELY MANAGING STORE CAPACITY AVAILABLE TO A PROCESSOR ISSUING STORES		

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Sir:**

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. ☒ Enclosures accompanying this Information Disclosure Statement are:
- 1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.
- 1b. ☐ A legible copy of :
- ☐ Each foreign patent;
- ☒ Each publication or that portion which caused it to be listed on the PTO-1449;
- ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
- ☐ all other information or portion which caused it to be listed on the PTO-1449.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.

- 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- 2a. ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth §1.491 in an international application;
- 2c. ☐ Before the mailing of the first Office action on the merits;
- 2d. ☒ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

*(Check either Item 3a or 3b)*

- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
- ☐ to be charged to Wagner, Murabito & Hao Deposit Account No. 23-0085 (order no. ).

*(Item 3b to be checked if any reference known for more than 3 months)*

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

*(Check either Item 4a or 4b)*

- 4a. ☐ The Certification Statement in Item 5 below is applicable.
- 4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
enclosed to be charged to Wagner, Murabito & Hao Deposit Account No. 23-0085 (order no. ).
5. ☐ Certification Statement (applicable if Item 3a or Item 4a is checked)

*(Check either Item 5a, 5b or 5c)*

- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited

in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☐ Copies of each cited U.S. patent and each U.S. patent application publication are not enclosed pursuant to the USPTO OG Notice dated 05 August 2003 waiving the requirement under 37 C.F.R. 1.98(a)(2)(i) for U.S. patent applications filed after June 30, 2003.
7. ☐ This application is a continuation application under 37 C.F.R. §1.53(b) or (d).  
*(Check appropriate Items 7a, 7b and/or 7c)*
- 7a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 7b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. **XXXX**, filed on **XXXX**, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 7c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
8. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 8a)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on **\*\*\*\*\***. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on **\*\*\*\*\***.
9. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:  
*( Check Item 9a, 9b, or 9c)*
- 9a. ☐ satisfied because all non-English language publications were cited on the

enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.

- 9b. ☐ set forth in the application.
- 9c. ☐ enclosed as an attachment hereto.
10. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Wagner, Murabito & Hao Deposit Account No. 23-0085 (docket No.: TRAN-P231)
11. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: 5/22/2006

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Attorney Docket No.: TRAN-P231**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Patent ApplicationInventor(s): Bill Rozas, Alexander Klaiber, David Dunn, Group Art Unit: 2188  
Paul Serris and Lacky Shah

Filed: 08/21/03 Examiner: Ellis, Kevin L.

Application No.: 10/646,461

Title: METHOD AND SYSTEM FOR CONSERVATIVELY MANAGING STORE CAPACITY  
AVAILABLE TO A PROCESSOR ISSUING STORESForm 1449**U.S. Patent/Publication Documents**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A	6,877,088	04/05/05	Dice			
	B	6,775,749	08/10/04	Mudgett et al.			
	C	6,725,337	04/20/04	Tan et al.			
	D	6,564,301	05/13/03	Middleton			
	E	6,526,480	02/25/03	Naruse et al.			
	F	6,460,130	10/01/02	Trull et al.			
	G	6,134,651	10/17/00	Witt et al.			
	H	6,119,205	09/12/00	Wicki et al.			
	I	6,006,317	12/21/99	Ramagopal et al.			
	J	5,930,821	07/27/99	Gaskins et al.			
	K	5,926,645	07/20/99	Williamson			
	L	5,838,943	11/17/98	Ramagopal et al.			
	M	5,802,574	09/01/98	Atallah et al.			
	N	5,548,735	08/20/96	Chen et al.			
	O	5,155,831	10/13/92	Emma et al.			
	P	2003/0014602A1	01/16/03	Shibayama et al.			

**Foreign Patent or Published Foreign Patent Application**

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	Q							

**Other Documents**

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	R	Handy, THE CACHE MEMORY BOOK, 1998, pages 66 and 77-86
	S	
	T	
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.